

## Message Text

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ACTION SCS-06

INFO OCT-01 ARA-10 ISO-00 CA-01 H-01 L-03 FBIE-00

HA-05 /027 W

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P 252233Z APR 78

FM AMEMBASSY MANAGUA

TO SECSTATE WASHDC PRIORITY 6407

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E.O. 11652: N/A

TAGS: CARR, PINT, SHUM, NU

SUBJECT: CHARITON TRANSFERRED TO MANAGUA JAIL; HIS U.S. ATTORNEY  
COMING APRIL 26

REFS: A) MANAGUA 1847, B) MANAGUA 1633

BEGIN SUMMARY: CHARITON WAS ALLEGEDLY BEING HELD INCOMMUNICADO FOR SHORT TIME AT TIPITAPA PRISON. AMBASSADOR ARRANGED FOR HIS TRANSFER TO MANAGUA JAIL WHERE MRS. CHARITON AND CHARITON'S ATTORNEY HAVE MORE READY ACCESS TO HIM; THIS WAS IN ACCORD WITH CHARITON'S AND HIS WIFE'S WISHES. CHARITON'S U.S. ATTORNEY, SOL LEVINE, PLANS TO ARRIVE IN MANAGUA APRIL 26. LEVINE INITIALLY CLAIMED THAT DEPUTY ASST. SEC. SHELTON WOULD ACCOMPANY HIM AND SOUGHT EMBASSY ASSISTANCE IN VARIOUS WAYS, SOME OF WHICH WE CONSIDER INAPPROPRIATE. EMBASSY INFORMED LEVINE THAT IT WOULD BE GUIDED BY THE DEPARTMENT REGARDING WHAT SERVICES IT PROVIDES HIM. END SUMMARY

1. ON APRIL 21, ARTHUR CHARITON'S WIFE, ROSE, AND HIS LOCAL ATTORNEY, DR. IGNACIO ZELAYA, CALLED ON EMBOFF TO COMPLAIN THAT ARTHUR WAS BEING HELD "INCOMUNICADO" AT THE TIPITAPA MODEL PRISON, THAT ARTHUR WAS NOT ALLOWED TO CONVERSE WITH OTHER PRISONERS THERE OR EVEN WITH GUARDS, AND THAT HE HAD BEEN DENIED ANY SPECIAL FOOD FOR HIS DIABETIC CONDITION, OTHER THAN REGULAR PRISON FARE. MOREOVER, THEY ADDED, SENIOR POLICE OFFICIALS HAD INFORMED MRS. CHARITON THAT

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SHE COULD NOT HAVE A PERMIT TO VISIT HER HUSBAND THAT DAY; THOSE OFFICIALS ALLEGEDLY DECLINED TO EXPLAIN WHY SHE COULD NOT VISIT HIM OR WHETHER SHE MIGHT RECEIVE A VISIT-PERMIT LATER.

2. UPON BEING INFORMED OF THIS, AMBASSADOR CONTACTED PRESIDENT SOMOZA'S

OFFICE RELAYED MRS. CHARITON'S COMPLAINTS, AND INDICATED THAT EMBASSY

SUPPORTED CHARITON'S DESIRE THAT HE BE TRANSFERRED TO MANAGUA CENTRAL JAIL WHERE HIS WIFE WOULD HAVE EASIER AND MORE FREQUENT ACCESS TO CHARITON. NICARAGUAN AUTHORITIES TRANSFERRED CHARITON TO THE MANAGUA INSTALLATION THAT SAME AFTERNOON. EMBASSY UNDERSTANDS THAT BOTH MRS. CHARITON AND ZELAYA HAVE SUBSEQUENTLY VISITED CHARITON THERE.

3. EMBOFF VISITED CHARITON IN MANAGUA JAIL APRIL 24. HE APPEARED TO BE IN FAIRLY GOOD PHYSICAL CONDITION. HE COMPLAINED LESS AGAINST THE EMBASSY THAN HE HAD DURING PAST VISITS. CHARITON SEEMED PLEASED THAT HE HAD BEEN TRANSFERRED TO THE MANAGUA JAIL WHERE HIS WIFE HAS BEEN ABLE TO BRING HIS SPECIAL FOOD TO HIM. HE ASKED EMBOFF TO ASSIST HIS WIFE IN OBTAINING A PERMIT TO VISIT HIM DAILY. EMBOFF SPOKE WITH DEPUTY COMMANDER OF JAIL, LT. COL. PARAJON, WHO SAID THERE SHOULD BE NO PROBLEM IN ISSUING SUCH A PERMIT TO MRS. CHARITON.

4. CHAIRTON'S US ATTORNEY COMING: SOL LEVINE, CHARITON'S US ATTOR-

NEY, PHONED EMBOFF APRIL 21 TO SAY THAT HE PLANNED TO COME TO NICARAGUA ON APRIL 26 AND THAT DEPUTY ASSISTANT SECRETARY SALLY SHELTON WOULD COME WITH HIM. (LEVINE SUBSEQUENTLY BECAME EVASIVE ABOUT WHETHER MS. SHELTON WOULD, IN FACT, BE ACCOMPANYING HIM.) HE SPOKE OF HIS MEETINGS IN WASHINGTON WITH MS. SHELTON AND WITH NICARAGUAN AMBASSADOR TO WASHINGTON, GUILLERMO SEVILLA SACASA. LEVINE THEN ASKED EMBOFF TO MAKE FOLLOWING ARRANGEMENTS FOR HIS VISIT TO MANAGUA:

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(A) EMBOFF SHOULD SET UP A MEETING IN THE EMBASSY BETWEEN MINISTER OF INTERIOR MORA, BANCO DE CENTROAMERICA PRESIDENT OSCAR SEVILLA SACASA, AND LEVINE TO DISCUSS DETAILS OF A SETTLEMENT.

(B) SOMEONE FROM THE EMBASSY SHOULD MEET LEVINE AT THE AIRPORT.

(C) EMBASSY SHOULD RESERVE A HOTEL ROOM FOR HIM.

(D) A US MARINE GUARD SHOULD ACCOMPANY LEVINE AT ALL TIMES.

5. EMBOFF REPLIED THAT HE KNEW THE PROVISION OF A US MARINE BODY-GUARD TO LEVINE WOULD BE IMPOSSIBLE AND ADDED THAT EMBASSY WOULD, WOULD, OF COUSE, BE GUIDED BY WHATEVER INSTRUCTIONS DEPARTMENT SENT REGARDING SERVICES TO BE PROVIDED. HE MADE NO COMMITMENTS TO LEVINE REGARDING ANY OF LATTER'S REQUESTS.

6. OSCAR SEVILLA PHONED AMBASSADOR APRIL 24 TO SAY THAT HE WOULD PROVIDE EMBASSY WITH A COPY OF A DOCUMENT ON THE CHARITON AFFAIR, WHICH HE WAS SENDING TO HIS BROTHER, GUILLERMO, IN WASHINGTON. AMBASSADOR MENTIONED TO SEVILLA THAT LEVINE WAS COMING TO MANAGUA ON WEDNESDAY AND ASKED WHETHER SEVILLA WOULD BE IN TOWN THAT DAY AND BE WILLING TO RECEIVE LEVINE. SEVILLA SAID YES.

7. IN ACCORDANCE WELTER-TUCKER TELECON, EMBOFF PLANNING TO PHONE LEVINE TODAY TO INFORM HIM OF SEVILLA'S AVAILABILITY ON APRIL 26,

AND SET A TIME FOR APPOINTMENT AT SEVILLA'S OFFICE OR OTHER LOCATION,  
BUT NOT A EMBASSY.  
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